

Wells-Ogunquit Community School District)	Departmental
York County)	Findings of Fact and Order
Wells, Maine)	Air Emission License
A-826-71-D-R		

After review of the air emission license application, staff investigation reports, and other documents in the applicant's file in the Bureau of Air Quality, pursuant to 38 M.R.S.A., Section 344 and Section 590, the Department finds the following facts:

I. REGISTRATION

A. Introduction

Wells-Ogunquit Community School District (Wells-Ogunquit CSD), located in Wells, Maine has applied for an Air Emission License, permitting the operation of emission sources associated with their Junior High School, Ward Gym, High School and Elementary School.

B. Emission Equipment

Wells-Ogunquit CSD is applying to operate the following equipment:

Fuel Burning Equipment

<u>Equipment</u>	<u>Maximum Capacity (MMBtu/hr)</u>	<u>Maximum firing Rate (Gal/hr)</u>	<u>Fuel Type, % Sulfur</u>	<u>Date of Manufacture</u>	<u>Stack #</u>
Elem. Scl. Boiler #1	3.71	26.5	#2 Oil, ASTM	2002	4
Elem. Scl. Boiler #2	3.71	26.5	#2 Oil, ASTM	2002	4
Jr. H.S. Boiler #1	2.3	16.4	#2 Oil, ASTM	2004	2
Jr. H.S. Boiler #2	2.3	16.4	#2 Oil, ASTM	2004	2
Jr. H.S. Boiler #3	5.67	40.5	#2 Oil, ASTM	1962	1
H.S. Boiler #1	5.19	37.1	#2 Oil, ASTM	1975	3
H.S. Boiler #2	5.19	37.1	#2 Oil, ASTM	1975	3
Elem. Scl. Generator	1.71	12.46	Diesel, 0.05%S	2002	na
Jr. H.S. Generator	0.68	4.89	Diesel, 0.05%S	2002	na

Stack #1 – 29 ft above ground.
Stack #2 – 35 ft above ground.

Stack #3 – 29 ft above ground.
Stack #4 – 35 ft above ground.

C. Application Classification

The application for Wells-Ogunquit CSD does not include the licensing of increased emissions or the installation of new or modified equipment. Therefore, the license is considered to be a renewal of current licensed emission units only.

II BEST PRACTICAL TREATMENT (BPT)

A. Introduction

In order to receive a license the applicant must control emissions from each unit to a level considered by the Department to represent Best Practical Treatment (BPT), as defined in *Definitions Regulation*, 06-096 CMR 100 (last amended December 1, 2005). Separate control requirement categories exist for new and existing equipment as well as for those sources located in designated non-attainment areas.

BPT for existing emissions equipment means that method which controls or reduces emissions to the lowest possible level considering:

- the existing state of technology;
- the effectiveness of available alternatives for reducing emission from the source being considered; and
- the economic feasibility for the type of establishment involved.

B. Boilers

Wells-Ogunquit CSD Campus is contiguous property, which includes the Junior High School, Ward Gym, High School and Elementary School. These existing facilities operate seven boilers, Elementary School (Elem. Sch.) Boilers #1 and #2, Junior High School (Jr. H.S.) Boilers #1, #2 and #3 and High School (H.S.) Boilers #1 and #2. None of the facility's boilers have a maximum heat input capacity of greater than 10 MMBtu/hr, therefore, none of the boilers are subject to EPA's New Source Performance Standards (NSPS) Subpart Dc for steam generating units greater than 10 MMBtu/hr manufactured after June 9, 1989.

Wells-Ogunquit CSD shall be restricted to a total annual facility wide boiler fuel use limit of 700,000 gallons per year of #2 fuel oil based on a twelve-month rolling total. The #2 fuel oil fired in the Wells-Ogunquit CSD Boilers shall meet the criteria in ASTM D396 for #2 fuel oil. Wells-Ogunquit CSD shall maintain a fuel use log which shall include fuel purchase receipts indicating the date of fuel purchases and the amount of fuel purchased.

A summary of the BACT analysis is as follows

1. The #2 fuel oil fired in the Wells-Ogunquit CSD Boilers shall meet the criteria in ASTM D396 for #2 fuel oil.
2. BACT for #2 fuel oil for PM is 0.08 lb/MMBtu. PM₁₀ limits are based on PM limits.
3. NO_x emission limits are based on data from similar #2 fired boilers of this size and age.
4. CO and VOC emission limits are based upon AP-42 data dated 9/98.
5. Visible emissions from each stack shall not exceed 20% opacity on a six-minute block average except, for no more than 2 six-minute block averages in a 3-hour period.

C. Back-up Diesel Generators

Wells-Ogunquit CSD maintains two back-up diesel generators, designated Elem. Scl. Generator and Jr. H.S. Generator, rated at 150 kW and 60 kW respectively. Back-up generators are only to be operated for maintenance purposes and for situations arising from sudden and reasonably unforeseeable events beyond the control of the source. Back-up generators are not to be used for prime power when reliable offsite power is available.

Each of the back-up generators shall be restricted to no greater than 500 operating hours based on a twelve-month rolling total. Wells-Ogunquit CSD shall maintain and operate hour meters on the two diesel generators and Wells-Ogunquit CSD shall maintain an operation log which shall include entries of hour meter readings and reason for the operation of the diesel generators. The log shall also include fuel purchase receipts indicating the sulfur content of the fuel consumed by the back-up generators.

A summary of the BACT analysis for Elem. Scl. Generator and Jr. H.S. Generator is as follows:

1. The back-up diesel generators shall fire only diesel fuel with a maximum sulfur content not to exceed 0.05% by weight.
2. Each generator shall be limited to 500 hr/yr of operation based on a twelve-month rolling total. Compliance shall be demonstrated by a written log of generator operating hours.
3. *Low Sulfur Fuel* 06-096 CMR 106 (last amended July 4, 1999) regulates fuel sulfur content, however in this case a BPT analysis for SO₂ determined a more stringent limit of 0.05% was appropriate and shall be used.
4. *Fuel Burning Equipment Particulate Emission Standard* 06-096 CMR 103 (last amended November 3, 1990) regulates PM emission limits. The PM₁₀ limits are derived from the PM limits.

Wells-Ogunquit Community School District)
York County)
Wells, Maine)
A-826-71-D-R 4

**Departmental
Findings of Fact and Order
Air Emission License**

5. NO_x, CO, and VOC emission limits are based upon AP-42 data dated 10/96.
6. Visible emissions from each diesel generator shall not exceed 20% opacity on a 6-minute block average, except for no more than two 6-minute block averages in a continuous 3-hour period.

D. Annual Emission Restrictions

Wells-Ogunquit CSD shall be restricted to the following annual emissions, based on a 12 month rolling total:

- Total annual fuel use for all boilers based on a 12 month rolling total shall not exceed 700,000 gallons of #2 fuel oil.
- The back-up generators shall each be limited to no more than 500 hrs/yr of operation, firing diesel fuel with a sulfur content of no greater than 0.05% sulfur by weight.

Total Allowable Annual Emission for the Facility
(used to calculate the annual license fee)

Pollutant	Tons/Year		
	Boilers	Diesels	Total
PM	3.9	0.3	4.2
PM ₁₀	3.9	0.3	4.2
SO ₂	24.85	0.05	24.9
NO _x	22.1	3.8	25.9
CO	1.8	0.8	2.6
VOC	0.1	0.3	0.4

III AMBIENT AIR QUALITY ANALYSIS

According to *Major and Minor Source Air Emission License Regulations*, 06-096 CMR 115 (last amended December 1, 2005), the level of air quality analyses required for a minor source shall be determined on a case-by case basis. Based on the information available in the file, and the similarity to existing sources, Maine Ambient Air Quality Standards (MAAQS) will not be violated by this source. Based on the total facility emissions, the Wells-Ogunquit CSD is below the emissions level required for modeling and monitoring.

ORDER

The Department hereby grants Air Emission License A-826-71-D-R subject to the following conditions:

Severability. The invalidity or unenforceability of any provision, or part thereof, of this License shall not affect the remainder of the provision or any other provisions. This License shall be construed and enforced in all respects as if such invalid or unenforceable provision or part thereof had been omitted.

STANDARD CONDITIONS

- (1) Employees and authorized representatives of the Department shall be allowed access to the licensee's premises during business hours, or any time during which any emissions units are in operation, and at such other times as the Department deems necessary for the purpose of performing tests, collecting samples, conducting inspections, or examining and copying records relating to emissions (Title 38 MRSA §347-C).
- (2) The licensee shall acquire a new or amended air emission license prior to commencing construction of a modification, unless specifically provided for in Chapter 115. [06-096 CMR 115]
- (3) Approval to construct shall become invalid if the source has not commenced construction within eighteen (18) months after receipt of such approval or if construction is discontinued for a period of eighteen (18) months or more. The Department may extend this time period upon a satisfactory showing that an extension is justified, but may condition such extension upon a review of either the control technology analysis or the ambient air quality standards analysis, or both. [06-096 CMR 115]
- (4) The licensee shall establish and maintain a continuing program of best management practices for suppression of fugitive particulate matter during any period of construction, reconstruction, or operation which may result in fugitive dust, and shall submit a description of the program to the Department upon request. [06-096 CMR 115]
- (5) The licensee shall pay the annual air emission license fee to the Department, calculated pursuant to Title 38 M.R.S.A. §353.
- (6) The license does not convey any property rights of any sort, or any exclusive privilege. [06-096 CMR 115]
- (7) The licensee shall maintain and operate all emission units and air pollution systems required by the air emission license in a manner consistent with good air pollution control practice for minimizing emissions. [06-096 CMR 115]

- (8) The licensee shall maintain sufficient records to accurately document compliance with emission standards and license conditions and shall maintain such records for a minimum of six (6) years. The records shall be submitted to the Department upon written request. [06-096 CMR 115]
- (9) The licensee shall comply with all terms and conditions of the air emission license. The filing of an appeal by the licensee, the notification of planned changes or anticipated noncompliance by the licensee, or the filing of an application by the licensee for a renewal of a license or amendment shall not stay any condition of the license. [06-096 CMR 115]
- (10) The licensee may not use as a defense in an enforcement action that the disruption, cessation, or reduction of licensed operations would have been necessary in order to maintain compliance with the conditions of the air emission license. [06-096 CMR 115]
- (11) In accordance with the Department's air emission compliance test protocol and 40 CFR Part 60 or other method approved or required by the Department, the licensee shall:
- (i) perform stack testing to demonstrate compliance with the applicable emission standards under circumstances representative of the facility's normal process and operating conditions:
 - a. within sixty (60) calendar days of receipt of a notification to test from the Department or EPA, if visible emissions, equipment operating parameters, staff inspection, air monitoring or other cause indicate to the Department that equipment may be operating out of compliance with emission standards or license conditions; or
 - b. pursuant to any other requirement of this license to perform stack testing.
 - (ii) install or make provisions to install test ports that meet the criteria of 40 CFR Part 60, Appendix A, and test platforms, if necessary, and other accommodations necessary to allow emission testing; and
 - (iii) submit a written report to the Department within thirty (30) days from date of test completion.
- [06-096 CMR 115]

- (12) If the results of a stack test performed under circumstances representative of the facility's normal process and operating conditions indicate emissions in excess of the applicable standards, then:
- (i) within thirty (30) days following receipt of such test results, the licensee shall re-test the non-complying emission source under circumstances representative of the facility's normal process and operating conditions and in accordance with the Department's air emission compliance test protocol and 40 CFR Part 60 or other method approved or required by the Department; and
 - (ii) the days of violation shall be presumed to include the date of stack test and each and every day of operation thereafter until compliance is demonstrated under normal and representative process and operating conditions, except to the extent that the facility can prove to the satisfaction of the Department that there were intervening days during which no violation occurred or that the violation was not continuing in nature; and
 - (iii) the licensee may, upon the approval of the Department following the successful demonstration of compliance at alternative load conditions, operate under such alternative load conditions on an interim basis prior to a demonstration of compliance under normal and representative process and operating conditions.
- [06-096 CMR 115]
- (13) Notwithstanding any other provisions in the State Implementation Plan approved by the EPA or Section 114(a) of the CAA, any credible evidence may be used for the purpose of establishing whether a person has violated or is in violation of any statute, regulation, or Part 70 license requirement. [06-096 CMR 115]
- (14) The licensee shall maintain records of malfunctions, failures, downtime, and any other similar change in operation of air pollution control systems or the emissions unit itself that would affect emission and that is not consistent with the terms and conditions of the air emission license. The licensee shall notify the Department within two (2) days or the next state working day, whichever is later, of such occasions where such changes result in an increase of emissions. The licensee shall report all excess emissions in the units of the applicable emission limitation. [06-096 CMR 115]
- (15) Upon written request from the Department, the licensee shall establish and maintain such records, make such reports, install, use and maintain such monitoring equipment, sample such emissions (in accordance with such methods, at such locations, at such intervals, and in such a manner as the Department shall prescribe), and provide other information as the Department may reasonably require to determine the licensee's compliance status. [06-096 CMR 115]

SPECIFIC CONDITIONS

(16) Boilers:

- A. Total fuel use for all of the Wells-Ogunquit CSD boilers combined based on a twelve-month rolling total shall not exceed 700,000 gals/yr of #2 fuel oil. The #2 fuel oil fired in the Wells-Ogunquit CSD Boilers shall meet the criteria in ASTM D396 for #2 fuel oil. [06-096 CMR 115, BPT]
- B. Wells-Ogunquit CSD shall maintain a fuel use record which shall include fuel purchase receipts indicating the date of fuel purchases and the amount of fuel purchased. Fuel use records shall be maintained on a twelve-month rolling total basis. [06-096 CMR 115, BPT]
- C. Emissions shall not exceed the following:

Equipment		PM	PM ₁₀	SO ₂	NO _x	CO	VOC
Elem. Scl. Boiler #1	lb/hr	0.3	0.3	1.9	1.7	0.13	0.01
Elem. Scl. Boiler #2	lb/hr	0.3	0.3	1.9	1.7	0.13	0.01
Jr. H.S. Boiler #1	lb/hr	0.2	0.2	1.2	1.0	0.1	0.01
Jr. H.S. Boiler #2	lb/hr	0.2	0.2	1.2	1.0	0.1	0.01
Jr. H.S. Boiler #3	lb/MMBtu	0.08	n/a	n/a	n/a	n/a	n/a
	lb/hr	0.4	0.4	2.9	2.3	0.2	0.01
H.S. Boiler #1	lb/MMBtu	0.08	n/a	n/a	n/a	n/a	n/a
	lb/hr	0.5	0.5	2.6	2.3	0.2	0.01
H.S. Boiler #2	lb/MMBtu	0.08	n/a	n/a	n/a	n/a	n/a
	lb/hr	0.5	0.5	2.6	2.3	0.2	0.01

[06-096 CMR 115, BPT]

- D. Visible emissions from each stack shall not exceed 20% opacity on a six-minute block average except, for no more than 2 six-minute block averages in a 3-hour period. [06-096 CMR 101]

(17) Diesel Generators

- A. The two diesel generators, designated Elem. Scl. Generator and Jr. H.S. Generator, shall be limited to 500 hours per year of operation each based on a twelve-month rolling total. Wells-Ogunquit CSD shall maintain and operate hour meters for each generator. [06-096 CMR 115, BPT]
- B. Wells-Ogunquit CSD shall maintain an operations record for the generators which shall include entries of when and for how long each generator is operated. [06-096 CMR 115, BPT]

- C. Wells-Ogunquit CSD shall fire diesel fuel with a sulfur content not to exceed 0.05% in the Elem. Scl. Generator and Jr. H.S. Generator. Delivery receipts shall be kept documenting sulfur content. [06-096 CMR 115, BPT]
- D. The Elem. Scl. and Jr. H.S. Generators shall only to be operated for maintenance purposes and for situations arising from sudden and reasonably unforeseeable events beyond the control of the source. The Back-up Generator shall not to be used for prime power when reliable offsite power is available.
[06-096 CMR 115, BPT]
- E. Emissions from Elem. Scl. Generator and Jr. H.S. Generator shall not exceed the following: [06-096 CMR 115, BPT]
- | Equipment | | PM | PM ₁₀ | SO ₂ | NO _x | CO | VOC |
|----------------------|-------|-----|------------------|-----------------|-----------------|------|------|
| Elem. Scl. Generator | lb/hr | 0.5 | 0.5 | 0.09 | 7.54 | 1.62 | 0.60 |
| Jr. H.S. Generator | lb/hr | 0.2 | 0.2 | 0.03 | 3.00 | 0.65 | 0.24 |
- F. Visible emissions from the Elem. Scl. Generator and Jr. H.S. Generator each shall not exceed an opacity of 20% on a six-minute block average basis, except for no more than 2 six-minute block averages in a 3-hour period.
[MEDEP Chapter 101]
- (18) Wells-Ogunquit CSD shall pay the annual air emission license fee within 30 days of April 30 of each year. Pursuant to Title 38-353-A, failure to pay this annual fee in the stated timeframe is sufficient grounds for the revocation of the license under section 341-D, Subsection 3.

Wells-Ogunquit Community School District)
York County)
Wells, Maine)
A-826-71-D-R 10

Departmental
Findings of Fact and Order
Air Emission License

- (19) Wells-Ogunquit CSD shall notify the Department within 48 hours and submit a report to the Department on a quarterly basis if a malfunction or breakdown in any component causes a violation of any emission standard (Title 38 MRSA §605-C).

DONE AND DATED IN AUGUSTA, MAINE THIS _____ DAY OF _____ 2007.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: _____
DAVID P. LITTELL, COMMISSIONER

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

The term of this Order shall be for five (5) years from the signature above.

Date of initial receipt of application: **January 24, 2007**

Date of application acceptance: **February 1, 2007**

Date filed with the Board of Environmental Protection: _____

This Order prepared by Peter G. Carleton, Bureau of Air Quality